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**Date:** August 5, 2004 **Number of pages (including cover):** 5

**To:** Examiner Matthew D. Anderson, U.S. Patent and Trademark Office

**Fax No.:** 703-872-9306

**Serial No.:** 09/605,044

**Title:** **METHOD AND APPARATUS FOR MAINTAINING INVENTORY OF LOGICAL VOLUMES STORED IN STORAGE ELEMENTS**

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**From:** Richard F. Giunta

**Direct dial:** 617-646-8322

**Our File #:** E0295.70117US00

**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner Matthew D. Anderson, FAX number 703-872-9306, at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d), on the 5<sup>th</sup> day of August, 2004.

Richard F. Giunta, Reg. No. 36,149

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**MESSAGE:** Transmitted herewith is a Response to Advisory Action and Statement Establishing Common Ownership.

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**Wolf Greenfield Fax Number: 617.646.8646**

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DOCKET NO.: E0295.70117US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

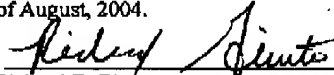
Applicant: David Black  
Serial No: 09/605,044  
Confirmation. No.: 4788  
Filed: June 27, 2000  
For: METHOD AND APPARATUS FOR MAINTAINING INVENTORY OF  
LOGICAL VOLUMES STORED IN STORAGE ELEMENTS

Examiner: Anderson, Matthew D.  
Art Unit: 2186

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CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to Commissioner for Patents, FAX number 703-872-9306, at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d) on the 5<sup>th</sup> day of August, 2004.

  
Richard F. Giunta, Reg. No.: 36,149

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Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

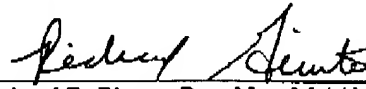
Transmitted herewith are the following documents:

☒ Response to Advisory Action and Statement Establishing Common Ownership

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
David Black, Applicant

By:   
Richard F. Giunta, Reg. No.: 36,149  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617)720-3500

Docket No. E0295.70117US00  
Date: August 5, 2004  
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ATTORNEY'S DOCKET NO: E0295.70117US00  
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Applicants: David Black  
Serial No: 09/605,044  
Filed: June 27, 2000  
For: METHOD AND APPARATUS FOR MAINTAINING INVENTORY OF  
LOGICAL VOLUMES STORED IN STORAGE ELEMENTS  
Examiner: Not Yet Assigned  
Art Unit: 2771

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**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

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Richard F. Giunta, Reg. No. 36,149

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Commissioner for Patents  
Washington, D. C. 20231

**RESPONSE TO ADVISORY ACTION AND STATEMENT  
ESTABLISHING COMMON OWNERSHIP**

Sir:

In an amendment after final filed on June 8, 2004, Applicants summarized a telephone interview of the same date with the Examiner in which it was discussed that the Blumenau reference (U.S. Patent No. 6,295,575) relied upon for the first time in the final Office Action was commonly assigned with the present application, such that the reliance thereon was improper and the final Office Action should be withdrawn. The Advisory Action indicates that the rejection has been maintained because the statement of common ownership did not indicate that the Blumenau reference and the present application were commonly assigned at the time the invention was made.

Applicants hereby represent that the present application and the Blumenau reference were, at the time the invention was made, both owned by, or subject to an obligation of assignment, to EMC Corporation. This statement is sufficient to establish common ownership (MPEP §706.02(1)(2)), such that it is respectfully requested that the final rejection be withdrawn.

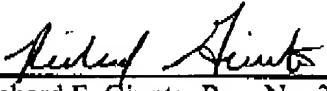
Serial No. 09/605,044

- 2 -

Art Unit 2186

If the Examiner has any questions concerning the foregoing, he is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,

By:   
Richard F. Giunta, Reg. No. 36,149  
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600 Atlantic Avenue  
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Docket No.: E0295.70117US00  
Date: August 5, 2004

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